

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

(01) RACIEL RODRIGUEZ-CRUZ
(02) JULIO DAMIAN CAMACHO
(03) MAURICIO DELAPAZ BARRJO
(04) MANUEL RIVERA DELAPAZ

CRIMINAL COMPLAINT

Case Number:

MS 10-368 SRN
RECEIVED

SEP 16 2010

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Beginning on or about August 26, 2010, and continuing through on or about August 30, 2010, in Hennepin County, in the State and District of Minnesota defendants, did conspire with each other and with other persons known and unknown, to possess with intent to distribute methamphetamine,

in violation of Title 21 United States Code, Section(s) 841(a)(1), 841(b)(1)(A) and 846.

I further state that I am a DEA Task Force Officer and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

September 15, 2010 11am

Date

The Honorable Susan Richard Nelson,
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer



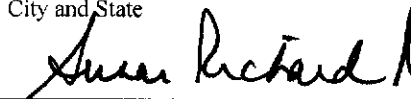
Signature of Complainant

Anthony J. Fletcher
DEATF

at

Minneapolis, MN

City and State



Signature of Judicial Officer

SCANNED

SEP 16 2010

U.S. DISTRICT COURT MPLS

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)

ss. **AFFIDAVIT OF TFO ANTHONY J. FLETCHER**

1. I am a Task Force Officer(TFO) with the Drug Enforcement Administration (DEA) and have been so assigned for approximately four months. I am currently employed by the Hennepin County Sheriff's Office ("HCSO"). I have been in law enforcement for almost twelve years. Since March of 2004, I have worked in the HCSO Narcotics Unit investigating drug cases. I have been assigned to the DEA since December 2006. In my capacity as a TFO with the DEA, I am responsible for the enforcement of the laws of the United States of America, including laws relating to drug enforcement. During my law enforcement career, I have conducted investigations into the unlawful possession, possession with intent to distribute, and distribution of controlled substances, and the associated conspiracies. I have been involved in over 300 drug investigations.

2. This Affidavit is submitted in support of a Complaint against the following individuals charging them with conspiracy to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. § § 841(a)(1), 841(b)(1)(A) and 846:

- (a) Raciél Rodriguez-Cruz ("Rodriguez-Cruz");
- (b) Julio Damian Camacho ("Camacho");
- (c) Mauricio Delapaz Barrio ("Barrio"); and
- (d) Manuel Rivera Delapaz ("Delapaz").

The facts set forth herein are based on my personal observations, my review of police reports, as well as conversations I have had with other law enforcement personnel.

3. In or about August 2006, law enforcement began working with a confidential reliable informant ("CRI") who provided them with information about drug trafficking activities occurring in Hennepin County. The CRI's information proved to be reliable and accurate. For example, in 2006, the CRI introduced an undercover law enforcement officer to a drug trafficker who sold the undercover three ounces of methamphetamine. In 2010, the CRI provided information to law enforcement that led to the seizure of one ounce of cocaine.

4. On August 26, 2010, the CRI met with Rodriguez-Cruz to arrange to buy two pounds of methamphetamine. Law enforcement conducted surveillance of the meeting. Rodriguez-Cruz left the meeting in a Dodge Durango. Law enforcement followed Rodriguez-Cruz after the meeting and were able to identify his residence located in Minneapolis, Minnesota. Following the meeting, the CRI reported to law enforcement that he and Rodriguez-Cruz agreed that the sale

would occur on the following Monday, August 30, 2010.

5. On August 30, 2010, the CRI telephoned Rodriguez-Cruz to arrange a meeting location. Law enforcement was at Rodriguez-Cruz's residence at the time the call was placed, and law enforcement knew that Rodriguez-Cruz was at the residence when the call was placed. Rodriguez-Cruz told the CRI that he would call the CRI back when the methamphetamine was ready.

6. Law enforcement maintained surveillance on Rodriguez-Cruz's residence. Approximately two hours later, law enforcement observed Camacho arrive at the residence on a bicycle. Immediately after Camacho's arrival, Rodriguez-Cruz telephoned the CRI and stated that the people delivering the methamphetamine were stuck in traffic. Rodriguez-Cruz indicated that he would get back in touch with the CRI as soon as he knew something more. At approximately 6:15 p.m., the CRI received a text in Spanish from Rodriguez-Cruz's telephone with words to the effect that it would happen in "15 minutes." Law enforcement was with the CRI.

7. Just before 6:30 p.m. on August 30, 2010, Rodriguez-Cruz telephoned the CRI. Rodriguez-Cruz instructed the CRI to meet him at a near-by gas station in Minneapolis, Minnesota to conduct the drug transaction. Within minutes of this call, Barrio and Delapaz arrived at Rodriguez-Cruz's residence in a tan Nissan. Barrio was driving the Nissan and Delapaz was the passenger. After parking the car, law enforcement observed Barrio get a battery charger package from the trunk of the Nissan and carry it to the Dodge Durango Rodriguez-Cruz had driven on August 26, 2010. Barrio placed the charger package in the back of the Durango. Law enforcement observed Barrio and Delapaz meet with Rodriguez-Cruz at the back of the Durango. After some minutes, Rodriguez-Cruz went inside his residence while Barrio and Delapaz remained at the back of the Durango.

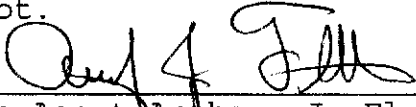
8. Rodriguez-Cruz stayed inside his residence for a short time and then returned to the Durango and got inside and drove away. Law enforcement observed Barrio and Delapaz walking back to the Nissan. Barrio was carrying a speaker box, and Delapaz was carrying the charger package. They placed both items in the trunk of the Nissan. Law enforcement followed the Nissan when it left the location.

9. After leaving his residence, Rodriguez-Cruz drove in the Durango to the gas station meeting location. There, Rodriguez-Cruz parked his Durango. During this time, Camacho arrived at the gas station on the same bicycle he had driven to Rodriguez-Cruz's residence. The CRI saw Rodriguez-Cruz pull a backpack out of the Durango and hand the backpack to Camacho. Rodriguez-Cruz walked up to the CRI in the parking lot and indicated that Camacho would conduct the sale transaction around the corner of the gas station, presumably away from all the activity at the gas pumps.

10. Before walking around the corner of the gas station, Camacho opened the backpack and showed the CRI the methamphetamine inside. The CRI gave the arrest signal and law enforcement made their presence known. Rodriguez-Cruz was arrested. Camacho fled on his bicycle with the methamphetamine. Law enforcement pursued him and arrested him several blocks away. Law enforcement located the backpack approximately three backyards from Camacho's place of arrest. Approximately 437 grams of methamphetamine were located inside the backpack.

11. After the arrests of Rodriguez-Cruz and Camacho and the seizure of the methamphetamine, law enforcement observed Barrio and Delapaz park the Nissan in a residential area and begin to walk away. Law enforcement arrested Barrio and Delapaz after they were outside the Nissan. A trained drug detection dog conducted an open air sniff of the Nissan. The dog alerted to the presence of the odor of illegal narcotics emanating from the trunk of the Nissan. Law enforcement opened the trunk and located the charger package that had been seen at Rodriguez-Cruz's residence. Inside the package law enforcement found approximately 409 grams of methamphetamine.


Further Your Affiant Sayeth Not.



Task Force Agent Anthony J. Fletcher
Drug Enforcement Administration

SUBSCRIBED and SWORN to Before Me

This 15th day of September, 2010



SUSAN RICHARD NELSON
United States Magistrate Judge